

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>JAMES RODNEY GEORGE,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 3:16-1750</b>
	)	
<b>v.</b>	)	<b>Judge Campbell</b>
	)	
<b>THE GUARDIAN LIFE INSURANCE COMPANY</b>	)	<b>Magistrate Judge Holmes</b>
<b>OF AMERICA (a/k/a GUARDIAN), and</b>	)	
	)	
<b>BERKSHIRE LIFE INSURANCE COMPANY</b>	)	
<b>OF AMERICA,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

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**STIPULATION OF DISMISSAL OF CLAIMS AGAINST  
THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA (A/K/A GUARDIAN)**

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As evidenced by the signatures below, Plaintiff James Rodney George, through counsel, and Defendants, The Guardian Life Insurance Company of America (“Guardian”) and Berkshire Life Insurance Company of America (“Berkshire”), hereby stipulate and agree to dismissal of all claims against Guardian without prejudice. Defendants have represented to Plaintiff that the insurance policy at issue was underwritten solely by Berkshire, a Guardian subsidiary. Should discovery reveal that Guardian is a proper party, Plaintiff may move to amend his complaint to refile his claims against Guardian.

Therefore, at this time, the parties are in agreement that all claims against Guardian shall be dismissed without prejudice.

Respectfully submitted,

**CODY ALLISON & ASSOCIATES, PLLC**

/s/ K. Cody Allison

K. Cody Allison (BPR #20623)

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**NEAL & HARWELL, PLC**

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served via the Court's CM/ECF electronic filing system, on this the 9th day of September, 2016 on the following:

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\_\_\_\_\_/s/ K. Cody Allison